IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5265 of 2005

Between:

Sri Farooq Mohiuddin S/o. Mofd. Nizamuddin
R/o. B-109, Patigadda, Secunderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

Rep. by its Principal Secretary, Department of Transport,
Road & Buildings, Secretariat, Hyderabad.
2 The District Collector, Station Road, Nampally, Hyderabad.
3 The Mandal Revenue Officer, Balanagar,

Narsapur 'X' Roads, Balanagar, Hyderabad.
4 The Estate Officer, O/o. Superintendent Engineer(R & B),
Head quarter Circle, Near Meera Talkies, Lakdikapool, Hyderabad.
5 The Chief Engineer (R & B) Buildings, Erramanzil, Hyderabad-82.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ, Order or direction more particularly one in the nature of Mandamus directing the respondents to consider alienating of the quarter No. B-109, Patigadda Colony, Secunderabad, Which the petitioner is residing, in his favour as was done in other cases with respect to other government employee and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.BALAJI VARMA

Counsel for the Respondent Nos.1 to 5: GP FOR TRANSPORT

The Court at the admission state made the following:

ORDER:

For directing the respondents to consider the representation of the petitioner dated 08.02.2005 and alienate the quarter in his favour, in which the petitioner is residing, the present writ petition is filed.

The learned Counsel for the petitioner contended that the petitioner is residing in the Quarter No.B-109 Patigadda, Secunderabad as per G.O.Ms.No.54, dated 07.07.1993 for the last 16 years, and he is not in possession of any house and therefore, he prays to consider his case.

On the other hand, the learned Government Pleader for Roads & Buildings opposed the same on the ground that the alienation is governed by the Government orders issued from time to time.

The petitioner is seeking innocuous relief for considering his case on par with the others, who were allotted some residential quarters and vacant site, by his representation dated 08.02.2005. Admittedly, the said representation was addressed to the Honourable Chief Minister, but not to the respondents. According to the learned Government Pleader, the case of the petitioner has to be decided in accordance with the Government orders issued from time to time by the 1st respondent.

Therefore, without going into the merits of the case, it would be appropriate to direct the petitioner to file a representation before the respondents. On filing of such representation, the same shall be considered by the respondents, in accordance with the Government orders in force.

With the above observations, the Writ Petition is disposed of. No order as to costs.

Dated: 16.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Principal Secretary,

The Government of Andhra Pradesh,

Department of Transport, Road & Buildings,

Secretariat, Hyderabad

2. The District Collector,

Station Road, Nampally,

Hyderabad

3. The Mandal Revenue Officer,

Balanagar, Narsapur X Roads,

Balanagar, Hyderabad

4. The Estate Officer,

O/o.Superintendent Engineer (R&B),

Headquarter Circle,

Near Meera Talkies, Lakdikapool,

Hyderabad

5. The Chief Engineer (R&B) Buildings,

Erramanzil, Hyderabad-82

6. Two CCs to the Government Pleader for

Transport and Roads & Buildings, High Court

Buildings, Hyderabad (OUT)

7. Two CD copies

*Form-NIC-OGS/WP{**VSMI**}*